



CITY COUNCIL

October 5, 2015

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, October 5, 2015. This meeting was called to order at 7:00 P.M.; then, after a recitation of the Pledge of Allegiance to the Flag of the United States of America, a roll call then determined that the following were

Present: William Fraser, Mayor
Kate Marshall, City Councilmember
John Murphy, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember

Absent: None

Also in attendance were City Manager Robert Straebel, Clerk-Treasurer Alan Terry, City Planner Amy Tweeten, Director of Parks and Recreation Allen Hansen and Downtown Director Becky Goodman.

Resolution No. 18899
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of October 5, 2015, City Councilmember Marshall moved that, seconded by City Councilmember Wills adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the September 21, 2015 regular-session City Council meeting be and are hereby approved; and

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since September 21 for contract and vendor claims at \$2,504,241.84, intergovernmental claims at \$958,786.50, and the September 24 payroll at \$182,221.57, for a total of \$3,645,249.91 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Resolution No. 18900-18902
Confirm Appointments

Mayor Fraser then reviewed that City Council consider possible appointments to the Downtown Management Board and Planning Commission. City Councilmember Wills moved that, seconded by City Councilmember

Marshall, adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the appointment of Robin Bennett, 2335 Hemlock Lane, to the Downtown Management Board to fill a vacated, unexpired term of December 1, 2015 which was created by the resignation of Jessilynn Norcross.

Said resolution was adopted by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Resolution No. 18901

City Councilmember Murphy moved that, seconded by City Councilmember Wills adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Dana Andrews, 722 East Lake Street, to the Planning Commission for a three-year term ending January 2018.

Said resolution was adopted by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Resolution No. 18902

City Councilmember Marshall moved that, seconded by City Councilmember Murphy adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Cynthia Linn Robson, 606 Grove Street, to the Planning Commission for a three-year term ending January 2018.

Said resolution was adopted by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Hear Public Comment

Mayor Fraser asked for public comments and there were no comments.

Economic Hear City Manager Updates

The City Manager reviewed that Michigan Development Corporation (MEDC) laid off 65 employees as of October 1 as a result of a 27% cut in overall funding, that cuts amount to \$130M from State of Michigan and tribal gaming revenue cuts and that Dan Leonard, local MEDC representative, will be covering a much larger territory; that MDOT is implementing a new safety technology system for the intersection of US 131 and Intertown Road; that the City received a \$803,478 Stormwater Asset Management Wastewater (SAW) Grant from the DEQ to map storm water system into GIS; that the Parking Committee will be meeting tomorrow to discuss both Brownfield TIF's as well as downtown parking; that the US-31 project will be striped this week; and that there is some brick paver work in sidewalk areas in the CBD.

Resolution No. 18903 – Adopt Ord. 753
Amending the Sign Ordinance

The City Manager reviewed that this was the second reading of a proposed ordinance that would amend the Sign Ordinance. The City Planner reviewed that the Sign Committee periodically reviews issues with certain sign regulations and makes recommendations to the Planning Commission for possible amendments. The first proposed change is for projecting nameplates, which are pedestrian-oriented signs used primarily downtown. The discussion was that while the overall sign size does not need to change, the way the ordinance calculates sign area (maximum height x maximum width) penalized a circular sign. The Sign Committee recommended a change to allow the area of a circular projecting nameplate to be slightly larger – 3.83 square feet rather than 3 square feet.

The recommendation is for projecting nameplate signs only and would not apply to circular wall-mounted or free-standing signs.

In recommending the recent changes to allow home businesses in all residential districts, the Planning Commission reviewed the regulations for home business signs and determined that the size allowance should be reduced from 3 square feet to one square foot.

The Planning Commission held a public hearing on these proposed amendments on July 16, 2015 and recommended changes to City Council.

City Councilmembers discussed that signs should be limited and that signs should be based on perspective of sign size and where it is located from the road.

The City Planner reviewed that there shouldn't be an outside appearance of a business being located in a residential area.

Mayor Fraser asked for public comments and heard an inquiry if signage for an owner's name and/or address number is allowed.

City Councilmember Marshall moved that, seconded by City Councilmember Murphy adoption of the following ordinance:

ORDINANCE NO. 753

AN ORDINANCE TO AMEND SECTIONS 7.1(1)(d), SECTION 7.1(4)(c) AND FIGURE 44 OF THE CITY OF PETOSKEY SIGN ORDINANCE

The City of Petoskey ordains:

1. The Text of Section 7.1 of the City of Petoskey Sign Ordinance shall be amended to read as follows.

1(d) The height and area of projecting nameplates are restricted according to the following schedule:

PROJECTING NAMEPLATES			
<i>Zoning District</i>	<i>Minimum Height In Feet</i>	<i>Maximum Height In Feet</i>	<i>Maximum Area*</i>
RM-1, RM-2	7'	10'	3-Square Feet
O-S, B-1, B-2, B-3, B-3a	7'	15'	3-Square Feet

*Circular projecting nameplates may have a sign area of 3.83 square feet.

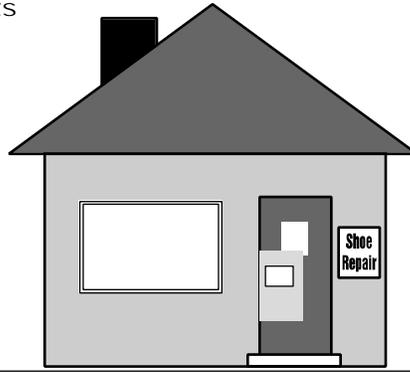
(4)(c) and Figure 44

Home businesses are allowed a single business identification sign, not exceeding one (1) square foot, to be wall-mounted at the entrance.

Figure 44

Dwelling units
and home
businesses

**Maximum one
square foot**



2. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Said ordinance was adopted by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Resolution No. 18904
Accept Special Assessment
Report; Schedule Hearing

The City Manager next reported that at its September 22, 2015, meeting, the City's Downtown Management Board reviewed its proposed budget for downtown area programs and services for 2016 and asked that the City Council: (1) Levy a special assessment against all eligible, non-residential properties within the Management Board's jurisdictional territory, the proceeds from which would be used to finance costs of such programs and services; and (2) Set the amount for the proposed special assessment based upon assessment-levy amounts that were used in 2015. The City Manager also reported that the Management Board's budget proposal would be included within the City's recommended 2016 Annual Budget, but City Code provisions required that the special-assessment process be done annually by City Council.

The City Manager further reported that the City Council was being asked to adopt a proposed resolution, a draft of which was included with the report, that would: confirm that costs of proposed downtown-area programs and services would be offset by special-assessment revenues; designate the special-assessment district; approve the recommended special-assessment formula; and schedule an October 19 public hearing to receive comments concerning the proposed programs and services.

The City Manager also reported that a second public hearing to receive comments concerning the proposed special-assessment roll was tentatively scheduled for the November 16, 2015, City Council meeting.

City Councilmember Wills moved that, seconded by City Councilmember Marshall adoption of the following resolution:

WHEREAS, the City Council in 1994 appointed members of the City's Downtown Development Authority Board as a "Downtown Management Board" under provisions of Act 120 of the Public Acts of Michigan of 1961, as amended by Act 146 of 1992; and

WHEREAS, at its September 22, 2015, meeting, the Downtown Management Board discussed the need to continue to provide certain programs and services that are believed to be beneficial to the City's principal shopping area; and

WHEREAS, the Downtown Management Board has developed a recommended formula by which properties within the Board's district could be specially assessed as a means of obtaining revenues to offset costs of the Board's proposed programs and services for the year 2016; and

WHEREAS, the City Council has reviewed a report dated September 29, 2015, by the City Manager that lists those proposed programs and services as recommended by the Downtown Management Board and the proposed roll that would spread special assessments against properties within the Management Board's district:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby determines that a portion of the expense of these proposed programs and services shall be defrayed by special assessments upon those properties especially benefited; and

BE IT FURTHER RESOLVED that the nature of these proposed programs and services shall include such activities as special events, economic enhancement, beautification, marketing and promotions, and administration for costs estimated at \$140,700; that all portions of such costs shall be paid by special assessments and other related revenues, without a general obligation of the City; that such special-assessment revenues shall be collected in a single-installment payment; and that such assessments shall be levied in a district with boundaries that are to be coterminous to those of the Downtown Management Board's jurisdictional territory; and

BE IT FURTHER RESOLVED that the City Council does and hereby sets forth the basis of this special assessment by use of a formula that has been recommended by the Downtown Management Board to set the amount for the proposed special assessment based upon the recommended 2015 formula and that has been calculated by the City staff based upon square footage of useable, non-residential building area and vacant properties, which the City Council has determined to be the most equitable to the greatest number of property owners concerned; and

BE IT FURTHER RESOLVED that the City Council does and hereby schedules a public hearing for 7:00 P.M., Monday, October 19, 2015, to receive comments concerning these proposed programs and services; and

BE IT FURTHER RESOLVED that the City Council does and hereby directs the City staff to notify all property owners within the proposed assessment district of potential property assessments and the October 19, 2015, public hearing to receive comments concerning these proposed programs and services.

Said resolution was approved by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Discussed Revised Downtown
Greenway Corridor Plan

The City Manager reviewed that on July 27-28, 2015, public workshops were held on the Downtown Greenway Corridor Plan to review and gather input on the next phases of the plan development. On September 14, 2015, the Parks and Recreation Commission met in regular session to again review the former plans for the corridor and also reviewed the Downtown Greenway Corridor Plan Workshop Summary. A compilation of general comments were received at the workshops pertaining to multiple segments of the plan.

The City Manager reviewed Parks and Recreation Commission recommendations:

- Sidewalk connection between Bay Street and Lake Street near the rail and the related bus drop-off access walk into the Elks Lot be completed. This was assigned as a priority item by the Parks and Recreation Commission as it provides a safe route for pedestrians exiting the lot and crossing through the park with crosswalks at Bay Street and Lake Street;
- Delete the stream feature from the plan;
- Delete the ice rink from the plan;
- Expand existing restroom and/or explore location for additional restrooms to service park and downtown in the central core area of the CBD;
- Retain Chamber of Commerce building for now but continue to explore long range options related to Pennsylvania Railroad Depot near Lewis Street;
- Leave railway in place, sever railroad connection at Emmet Street from main track, with no significant investment made to improve tracks at this time;
- Trolley Operation: more information is needed regarding the viability of the trolley and whether it is a good investment of public funds. Commissioners would like to see a test operation period with the trolley on the tracks prior to investing in trolley or sidings. Show improvement options as future plan;
- Continue to show parking expansion options at the Emmet Street end of the corridor and the Lewis Street end of the corridor in what is referred to as Quarry Park, in the plans;
- Improve signage at Bay Street and Greenway Corridor and the parking lot near Howard Street at Greenway Corridor to orient bicyclists as to locations of downtown businesses and facilities, alternate bicycle routes and bicycle racks;
- Widen Park Avenue sidewalk area near Lake Street entry to north Pennsylvania Park near the drinking fountain along park frontage of 411 East Lake Street to provide for two-way pedestrian foot traffic;
- Eliminate lower plaza area near alley in north Pennsylvania Park at Park Avenue. Show option of east/west sidewalk extending from Elks Lot bus drop-off to Park Avenue near alley to facility access to Park Avenue; and
- Incorporate proposed Hemingway statue in north Pennsylvania Park. Commissioners favor the statue location near the upper sidewalk where the walkway from the Elks Lot bus drop-off zone is proposed and as a secondary site the Park Avenue location on the south side of Bay Street sidewalk.

City Councilmembers discussed recommendations and agreed with the Parks and Recreation Commission recommendations except that City Council opposes the proposed sidewalk extending from the Elks parking lot to Park Avenue and opposes revisiting the site for the Hemingway statue and possibly altering their recent site selection. Council also discussed locating all war memorials to one side of sidewalk; concurred to review additional bathrooms at Chamber of Commerce; that railway should remain in place for now without further investment; and discussed trolley operations.

The Downtown Greenway Corridor plans will be further revised and brought back for Council review at a future meeting.

Resolution No. 18905
Initiation of Redevelopment Ready
Communities Process

Communities (RRC) program offered by the Michigan Economic Development Corporation (MEDC). The RRC program is a technical assistance program that promotes effective redevelopment strategies through a set of best practices. The program measures and then certifies communities that integrate transparency, predictability and efficiency into their daily development practices. The RRC certification is a formal recognition that a community has a vision for the future and the fundamental practices in place to get there.

The City Manager reviewed that as had been discussed at the City Council-City staff goal setting session, a continuing goal is to “diversify and strengthen the City’s economic base”. One of the strategies put forward was to go through the Redevelopment Ready

To formally begin, the City must pass a resolution committing to the RRC process, as well as complete a self-evaluation of the six “best practices” and attend the RRC training. The goal would be to become Redevelopment Ready certified, which would result in assistance marketing selected redevelopment sites in the City. There would be significant staff time needed to become certified, and to make sure the process is completed in a timely manner, some funding would be put in the 2016 budget for possible outside assistance with studies or conceptual plans.

City Councilmember Wills moved that, seconded by City Councilmember Marshall adoption of the following resolution:

WHEREAS, the City of Petoskey is a resort community committed to improving the quality of life for its residents and taxpayers; and

WHEREAS, Petoskey is still recovering from the economic recession that impacted communities throughout Michigan and the county; and

WHEREAS, the Michigan Economic Development Corporation (MEDC) has created a Redevelopment Ready Communities (RRC) Program to empower communities to shape their future and maximize economic potential; and

WHEREAS, the RRC Program provides technical assistance to and certifies communities that actively engage stakeholders and plan deliberate, fair and consistent development processes; and

WHEREAS, the City of Petoskey recognizes the value of the RRC Program and is willing to commit to improving its redevelopment readiness through a detailed assessment of existing regulations and processes for addressing economic development opportunities:

NOW, THEREFORE BE IT RESOLVED, the City of Petoskey hereby commits to RRC’s Best Practices with the goal of being awarded RRC Certification.

Said resolution was approved by the following vote:

AYES: Marshall, Murphy, Dittmar, Wills, Fraser (5)

NAYS: None (0)

Discuss Fire Equipment Needs Report Assessment/Funding Options Report The City Manager reviewed that a Fire Equipment Needs Assessment and Funding Options was developed to begin initial discussions with City

Council. City Council was being asked to receive the report and schedule a special meeting to further discuss.

City Councilmembers concurred to further discuss the report at their regular scheduled October 19, 2015 meeting.

Hear Council Comments

Mayor Fraser asked for Council Comments and there were no comments.

There being no further business to come before the City Council, this October 5, 2015, meeting of the City Council adjourned at 8:47 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer